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NO. 490 P. 9

JAN 16 2007

Application No.: 09/674,546

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Docket No.: 223002101200

REMARKS

The Examiner has required restriction between Group I (claims 1, 3, 12, 16 and 18), Group II (claims 2, 4, 12, and 17), Group III (claims 5 and 12 (SEQ ID NO: 2790)), Group IV (claims 5 and 12 (other than SEQ ID NO: 2790)), Group V (claims 6, 10, and 12), and Group VI (claims 8 and 12). In addition, the Examiner has required election of a single even numbered sequence if applicants elect one of Group II, IV, or VI. By way of this Amendment, Applicants have elected Group II, claims 2, 4, 12, and 17 together with new claims 19-32 and SEQ ID NO:2536 for prosecution.

In addition, applicants have amended claims 2 and 4 and added new claims 19-32. Neither the amendment of claims 2 and 4 nor the addition of claims 19-32 introduce new matter. By way of example, the sequence identity percentages of pending claims 2, 19, and 29-30 may be found on page 5, second paragraph of "The Invention" Section. Applicants note that the specification discloses three amino acid sequences that support claims 2 and 29. As shown on pages 1206-1207 of the specification, SEQ ID NO: 2536 and SEQ ID NO:2538 share 95.6 percent identity and SEQ ID NO: 2536 and SEQ ID NO:2534 share 61.4 percent identity. In addition, the sequence range set forth in claim 29 is supported, by way of example, on page 1206 which shows SEQ ID NO: 2536 with the N-terminal leader sequence of amino acids 1-18 underlined. The fragment lengths of claims 4 and 22-26 may be found, for example, on page 6 in the first full paragraph. Support for the claimed compositions being purified may be found on page 19 wherein the specification discloses various means of purifying the claimed compositions. Support for pharmaceutically acceptable carriers for claims 20, 27, and 31 may be found on page 33. Finally, support for immunogenic polypeptides as found in claims 21, 28, and 32 may be found in originally filed claims 16-18.

Applicants request examination of the elected subject matter on the merits.

In addition, please direct all further communications in this application to:

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In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 223002101200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 16, 2007

Respectfully submitted,

By 
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